

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -June 20, 2017

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone, Thompson.

Absent: Valle.

Also, Present: Matt Hall, Manager
Laurie Barton, Borough Clerk
Attorney, Leslie Parikh

Mayor Higgins led everyone in the flag salute.

Mayor Higgins read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

Mayor Higgins diverted from the agenda to address Lee Hills business requesting for chairs and tables to be put on sidewalk. Motion made by Jones and seconded by Heinrich to approve the chairs and tables with requirement

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

CORRESPONDENCES

Motion made by Heinrich and second by Klimko to receive and file correspondences from Congressman Josh Gottheiner-Grant opportunities and Office of the Sheriff-Warren County.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

MINUTES

Motion made by Heinrich and seconded by Jones to approve the meeting minutes of March 21, 2017 and June 7, 2017. Executive Session minutes of March 21, 2017 and June 7, 2017 (proof for content only).

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone.
Ayes: 5, Nays: 0
Absent: 1 (Valle)
Abstain: Thompson

COUNCIL APPEARANCE

Reverend Bauknight, Lenape Trail

Rev Bauknight_inquired about a house left for vacant located at 6 Ramapo Way for two years, the tree fell on fence, there is high grass and no one is working on it to cut grass. There is a Keller Williams Real-estate sign on property.

Reverend Bauknight, Library President,

Rev. Bauknight thanked the DPW, Matthew Hall, Councilwoman Noone for the recent event held at library and they gained two new volunteers. This is looking to be an annual event and thanked the Police Department for putting it on their website.

There is one staff person retiring in July. Two part-time helpers were hired for the summer. A fundraiser was started to raise 100,000 pennies, which will in turn be used to purchase new books. There is a money jar set up for donations for a new computer. The Library will be joining in on next year's celebration of the Borough which the library turns 105 years old.

A new brochure is currently being worked on. A rosebush will be planted replacing one that was mistakenly taken out, a plaque dedicating the rose bush (*Cynthia Trimmer*) will also be installed.

Rudy Bescherer, Broad Street

Mr. Bescherer reported on the history of the vacant house at ^Ramapo Way, citing that Matt Lopez has since acquired the bank information and they were issued a summons in which they did not show up to court. A summons will be re-issued.

Mr. Bescherer stated his concerns over the recent bulk waste clean-up and asked that it either be canceled or come up with a new way to do it, citing multiple warnings and summons issued. Mr. Bescherer stated that a big problem is out of town people coming and dumping their bulk waste on vacant properties. Mr. Bescherer also requested the fines be increased from \$25.00.

Motion made by Thompson seconded by Noone, to close the audience portion of the meeting.

Ayes: 6, Nays: 0
Absent: 1(Valle)
Motion Carried.

REPORTS:

Motion was made by Heinrich, seconded by Jones to receive and file the following reports:

1. Municipal Court Monthly Management Report and Financial Report
2. Warren County Board of Health – June
3. Fire Prevention Report-May/June
4. Zoning/Code Enforcement -May/June

Ayes: 6, Nays: 0
Absent: 1(Valle)
Motion Carried

COMMITTEE REPORTS

Planning Board: Mayor Higgins reported that there hasn't been a meeting in three months due to no new applications being received.

Recreation: Klimko reported that the pool is now open and a new Recreation Coordinator has been hired. Meetings will be held twice a month for the starting in July. A committee member has been removed due to non-attendance.

Streets: Klimko reported that paving has progressed. Tar and chipping will begin July 12th or the 15th. A preconstruction meeting is scheduled for the paving work for Washington Avenue. Mayor Higgins requested that the Shade Tree Commission be involved since it involves removing trees.

ORDINANCE

Motion made by Heinrich to re-adopt Ordinance 2017-09, motion seconded by Klimko.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

BOROUGH OF WASHINGTON **ORDINANCE #2017-09**

**REFUNDING BOND ORDINANCE AUTHORIZING THE
ISSUANCE OF \$3,600,000 REFUNDING BONDS OF THE
BOROUGH OF WASHINGTON, IN THE COUNTY OF
WARREN, NEW JERSEY.**

**BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE
BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY** (not
less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

For the purposes stated in Section 2 of this refunding bond ordinance, negotiable bonds of the Borough of Washington, in the County of Warren, New Jersey (the “Borough”), each to be known as “Refunding Bond” (with such other words incorporated in the title as may hereafter be determined), are hereby authorized to be issued, in one or more series, in the aggregate principal amount of \$3,600,000 pursuant to Section 40A:2-51 et seq., of the Local Bond Law of the State of New Jersey (the “Local Bond Law”).

The purposes for which said bonds are authorized are as follows:

To pay, fund or refund (i) \$3,300,000 aggregate principal amount of General Bonds of 2008 of the Borough, dated March 12, 2008, and maturing on March 1 in each of the years 2020 and 2022, and such other bonds of such issue as may be desirable, (ii) interest payable on said bonds to be refunded, if any, until the date or dates said bonds to be refunded mature or are to be redeemed and (iii) redemption premium, if any, payable on said bonds to be refunded.

To pay the costs of issuance of such refunding bonds, including printing, advertising, accounting, financial (including underwriters' discount, original issue discount, bond insurance premium, escrow agent, verification agent and rating agency expenses) and legal expenses, not exceeding \$100,000 (any excess thereof after application to such costs to be applied either to payment of the amounts referred to in section 2(a) hereof or to the payment of debt service on any bonds issued pursuant to this refunding bond ordinance).

The following matters are hereby determined, declared, recited and stated:

Further provisions as to the refunding bonds authorized by this refunding bond ordinance shall be determined by subsequent resolution of the governing body of the Borough, or the determination thereof shall be delegated by such resolution to the Chief Financial Officer or other official of the Borough.

The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director"), and such statement shows that, while the net debt of the Borough determined as provided in the Local Bond Law is reduced by the amount of bonds to be paid, funded or refunded by the bonds authorized by this

refunding bond ordinance (i.e., \$3,300,000), the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds provided for in this refunding bond ordinance by \$3,600,000, and the said obligations authorized by this refunding bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

Said bonds shall recite that they are issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A, Municipalities and Counties, of the New Jersey Statutes.

The Chief Financial Officer of the Borough is hereby authorized and directed to file with the Director, within ten (10) days after the issuance of the said bonds, the documents required by the provisions of N.J.A.C. 5:30 - 2.5(b).

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this refunding bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

This refunding bond ordinance shall take effect twenty (20) days after the first publication hereof after final passage.

Motion made by Heinrich to introduce Ordinance 2017-13, motion seconded by Noone.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

Motion to approve and have the Clerk read by title and publication date for Ordinance 2017-13, motion seconded by Jones.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

ORDINANCE 2017-13
BOROUGH OF WASHINGTON
AN ORDINANCE PROVIDING FUNDING FOR VARIOUS ROAD
IMPROVEMENTS PURPOSE FOR THE BOROUGH OF WASHINGTON
AND APPROPRIATING \$60,000.00 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Washington, in the County of Warren, New Jersey, authorizes various road improvements to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$60,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$60,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

RESOLUTIONS

Motion made by Noone and seconded by Thompson to approve Resolution 2017-141.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-141
RETAIL DISTRIBUTION LICENSE

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Distribution License** be issued by the Borough Clerk and granted to:

Williams Irish Tavern
101 E. Washington Avenue
Washington, NJ

From July 1, 2017 – June 30, 2018, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the following conditions be imposed on the licensee:

- A. Licensee will report all incidences of fighting and brawling in the licensed premises immediately to the Washington Police Department for assistance.
- B. Licensee agrees to keep the doors to the premises closed at all times (regardless of the weather) so as to control patrons on premises and to discourage patrons from disturbing or accosting persons on the adjoining streets and sidewalks. The licensee shall have had an automatic door closing device installed on the main entrance door to the establishment and the same shall be kept operational at all times

Motion made by Noone and seconded by Heinrich to approve Resolution 2017-142.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-142
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$100,000.00 which is now available from the State of New Jersey, Department of Transportation

BE IT FURTHER RESOLVED, that the like sum of \$100,000.00 is hereby appropriated under the caption of Other Expenses – Municipal Aid.

Motion made by Noone and seconded by Klimko to approve Resolution 2017-143.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-143
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$4,638.03 for taxes or other municipal liens assessed for the year 2015 in the name of Turnbull, Andrew H. & Cheryl A. as supposed owners, and in said assessment and sale were described as 201 Belvidere Ave., Block 19.02 Lot 4, which sale was evidenced by certificate #16-00027; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-2-17 and before the right to redeem was cut off, as provided by law, PNC Bank claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$18,221.90 which is the amount necessary to redeem Tax Sale Certificate #16-00027.

NOW THEREFORE BE IT RESOLVED, on this 20th day of June, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$36,221.90** (This consists of \$18,221.90 Certificate Amount redeemed + \$18,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 19.02 Lot 4 from the tax office records.

Motion made by Noone and seconded by Klimko to approve Resolution 2017-144.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-144
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to Arthur Frustaci, 712 Rugby Road, Phillipsburg, NJ 08865, in the amount of \$174.06 for taxes or other municipal liens assessed for the year 2015 in the name of Marsar, Kevin C. as supposed owner, and in said assessment and sale were described as 358 North Prospect St. , Block 6 Lot 6, which sale was evidenced by Certificate #16-00009; and

WHEREAS, I, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-5-17 and before the right to redeem was cut off, as provided by law, Schiller, Knapp, Lefowitz & Hertz, LP claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$864.97, which is the amount necessary to redeem Tax Sale Certificate #16-00009.

NOW THEREFORE BE IT RESOLVED, on this 20th day of June, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Arthur Frustaci, 712 Rugby Road, Phillipsburg, NJ 08865 in the **amount of \$1,364.97** (This amount consists of \$864.97 Certificate Amount redeemed + \$500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 6 Lot 6 from the tax office records.

Motion made by Noone and seconded by Thompson to approve Resolution 2017-145.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-145
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$14,776.47 which is now available from the State of New Jersey, Clean Communities Account

BE IT FURTHER RESOLVED, that the like sum of \$14,776.47 is hereby appropriated under the caption of Other Expenses – Clean Communities.

Motion made by Thompson and seconded by Heinrich to approve Resolution 2017-146.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-146
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,512.15 which is now available from the Statewide Insurance Fund, Risk Control Grant

BE IT FURTHER RESOLVED, that the like sum of \$2,512.15 is hereby appropriated under the caption of Other Expenses – Risk Control Grant.

Motion made by Noone and seconded by Heinrich to approve Resolution 2017-147.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.

Ayes: 6, Nays: 0

Absent: 1 (Valle)

RESOLUTION 2017-147
RESOLUTION IN SUPPORT OF HUNTERDON MEDICAL CENTER BECOMING A
FULL-SERVICE ANGIOPLASTY PROVIDER

WHEREAS, in 1953 the Hunterdon Medical Center opened its doors in Hunterdon County focusing on wellness and primary care. Since that time, it has grown into a sophisticated community hospital by adding numerous medical specialties and complementary services while still maintaining its emphasis on primary care for Hunterdon County and its environs; and

WHEREAS, in this age of spiraling medical costs, the Hunterdon Medical Center has made significant efforts to provide medical services in an extremely efficient manner without sacrificing the quality care it is known for; and

WHEREAS, the leading cause of death in Hunterdon County is heart disease; and

WHEREAS, Hunterdon Medical Center has worked hard to develop a sophisticated and successful cardiology department staffed by experienced, well-trained cardiologists; and

WHEREAS, in an effort to develop state-of-the-art cardiac facilities for a community hospital, it constructed the Norman and Denise Guilloud Cardiovascular Center which opened in June 2015, which includes a catheterization lab so as to provide cardiac catheterization services; and

WHEREAS, cardiac catheterization, also known as coronary angioplasty, is a procedure used to diagnose and open clogged heart arteries. It involves temporarily inserting a wire to identify blockage and then inflating a tiny balloon at the location of a clogged artery to help widen it. The angioplasty is often combined with the permanent placement of a small, wire mesh tube called a stent to keep the artery open and decrease its chances of future narrowing. Angioplasty can improve the symptoms of blocked arteries, such as chest pain and shortness of breath. Angioplasty can also be used during a heart attack to quickly open a blocked artery and reduce damage to the heart; and

WHEREAS, cardiac catheterization was developed nearly 50 years ago as a diagnostic tool. However, it evolved into one that included the effective treatment of widening and stenting arteries; and

WHEREAS, originally, due to its novelty, cardiac catheterization was only permitted at hospitals with facilities capable of performing heart surgery, if that became necessary. However,

as the use and frequency of the procedure developed, State regulators began to ease the restrictions on which hospitals could offer elective angioplasty, although those restrictions have not yet been lifted for the Hunterdon Medical Center and a number of other hospitals in New Jersey which are often located in more rural areas; and

WHEREAS, peer reviewed articles in highly regarded medical journal have regularly reported the procedure has become common and can be safely performed at hospitals without coronary operation theatres; and

WHEREAS, the regulations of the State of New Jersey permit Hunterdon Medical Center to perform diagnostic and emergency angioplasty, but those regulations do not permit it to perform elective angioplasty. In 2015, Hunterdon Medical Center performed more than 500 diagnostic and emergency angioplasty procedures, often in less time and using less invasive methods than some other hospitals which are permitted to perform all angioplasty procedures; and

WHEREAS, Hunterdon Medical Center believes if it is permitted to perform emergency angioplasty procedures to save the lives of patients in a potentially fatal situation, it should be permitted to perform the exact same procedures on patients who not in an emergency condition; and

WHEREAS, Senator Christopher “Kip” Bateman, whose district includes the Hunterdon Medical Center, has asserted that hospitals that are able to perform this procedure do not want to lose their market share; and

WHEREAS, the residents of Hunterdon County and surrounding environs are being unfairly treated by this restriction on the ability of Hunterdon Medical Center to perform all angioplasty services because residents who require angioplasty services, other than diagnostic or emergency ones, must travel to Morristown or other locations to have this procedure performed which is both inconvenient and wasteful; and

WHEREAS, the limitation on the ability to provide full angioplasty services is also a financial burden on the Hunterdon Medical Center. To properly staff its cardiac catheterization service 24 hours a day, 365 days a year so as to have the capacity to respond to heart attacks and other cardiac emergencies its facility must have all necessary equipment, supplies and staff on duty at all times. However, it is not able to amortize the high cost associated with maintaining the facilities and staff 24 hours a day/365 days per year over a larger number of procedures thereby artificially increasing the expense of providing this service, which does an injustice to the hospital and its patients and leads to the inefficient delivery of medical services; and

WHEREAS, in order to permit Hunterdon Medical Center to perform elective (as well as emergency and diagnostic) angioplasty, the New Jersey Department of Health needs to amend its Rules, but it has not done so for various reasons unrelated to the ability of the hospital to efficiently and safely provide this service; and

WHEREAS, it is in the interest of the residents of the Borough of Washington that the Hunterdon Medical Center be able to perform elective, as well as emergency and diagnostic

angioplasty for both the convenience of its patients and also to allow its angioplasty facilities to operate in an efficient and business-like way without being artificially deprived of revenue; and

WHEREAS, it is necessary for municipalities in Warren County to urge their residents to petition the Department of Health and their elected officials, including those members of the Assembly that sit on the Health and Senior Services Committee of the Assembly and the Health, Human Services and Senior Citizens Committee of the New Jersey Senate, as well as the Governor, to rectify this injustice.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, as follows:

1. The New Jersey Department of Health is hereby urged to amend its Rules so as to permit the Hunterdon Medical Center to perform elective, as well as emergency, angioplasty procedures.
2. The Municipal Clerk is hereby authorized and directed to send a copy of this Resolution to:
 - A. Governor Chris Christie.
 - B. Lt. Governor Kim Guadagno
 - C. Senate President Stephen M. Sweeney.
 - D. Assembly Speaker Vincent Prieto.
 - E. Senator Michael Doherty.
 - F. Assemblyman John DiMaio.
 - G. Assemblyman Erik Peterson.
 - H. Department of Health Commissioner Cathleen Bennett
 - I. The Municipal Clerks of each municipality in the County of Warren with the request that they adopt similar Resolutions supporting the full use of the angioplasty facilities at Hunterdon Medical Center.

Motion made by Thompson and seconded by Heinrich to approve Resolution 2017-148.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.

Ayes: 6, Nays: 0

Absent: 1 (Valle)

RESOLUTION 2017-148
RETAIL CONSUMPTION LICENSE

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature Concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of \$ **720.00**:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

VMI of Washington, Inc.
T/A Enzo's Restaurant & Pizzeria
328 W. Washington Ave.
Washington, NJ 07882

From July 1, 2017 – June 30, 2018, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the following conditions be imposed on the licensee:

- A. Licensee will report all incidences of fighting and brawling in the licensed premises immediately to the Borough of Washington Police Department for assistance.
- B. Licensee agrees to keep the doors to the premises closed at all times, regardless of the weather), so as to control patrons on premises and to discourage patrons from disturbing or accosting persons on the adjoining streets and sidewalks. The licensee shall have had an automatic door closing device installed on the main entrance door to the establishments and the same shall be kept operational at all times.

Motion made by Heinrich and seconded by Jones to approve Resolution 2017-149.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-149
RETAIL CONSUMPTION LICENSE

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature Concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$ 720.00**:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

Phildeb Limited Liability Company
T/A Philberts Pub
101 W. Washington Ave. #B
Washington, NJ 07882

From July 1, 2017 – June 30, 2018, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the following conditions be imposed on the licensee:

- A. Licensee will report all incidences of fighting and brawling in the licensed premises immediately to the Borough of Washington Police Department for assistance.
- B. Licensee agrees to keep the doors to the premises closed at all times, regardless of the weather), so as to control patrons on premises and to discourage patrons from disturbing or accosting persons on the adjoining streets and sidewalks. The licensee shall have had an automatic door closing device installed on the main entrance door to the establishments and the same shall be kept operational at all times.

Motion made by Jones and seconded by Heinrich to approve Resolution 2017-150.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.

Ayes: 6, Nays: 0

Absent: 1 (Valle)

RESOLUTION 2017-150
RETAIL CONSUMPTION LICENSE

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

LINSKO, INC.;
t/a Scotty's Stadium Club
15 Belvidere Ave.
Washington NJ 07882

From July 1, 2017 – June 30, 2018, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the following conditions be imposed on the licensee:

- A. Licensee will report all incidences of fighting and brawling in the licensed premises immediately to the Washington Township Police Department for assistance.
- B. Licensee agrees to keep the doors to the premises closed at all times (regardless of the weather) so as to control patrons on premises and to discourage patrons from disturbing or accosting persons on the adjoining streets and sidewalks. The licensee shall have had an automatic door closing device installed on the main entrance door to the establishment and the same shall be kept operational at all times

Motion made by Thompson and seconded by Heinrich to approve Resolution 2017-151.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6, Nays: 0
Absent: 1 (Valle)

RESOLUTION 2017-151
RESOLUTION AWARDDING A CONTRACT
FOR STAND-BY GENERATOR FOR
WASHINGTON BOROUGH
MUNICIPAL BUILDING AND FIRE DEPARTMENT

WHEREAS, the Borough Council of the Borough of Washington has determined the need for a stand-by generator for use at the municipal building and firehouse for the Borough of Washington, County of Warren, State of New Jersey; and

WHEREAS, the Governing Body of Washington Borough have openly and publicly bid such contract for the stand-by generator installation thereto, pursuant to New Jersey law; and

WHEREAS, the Borough of Washington has received the lowest responsible bid from Innovative Electrical Contracting, Inc., based on the recommendation of the Borough Engineer and Borough Attorney.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Washington, County of Warren, State of New Jersey, that said contract for the stand-by generator in the Borough of Washington is hereby awarded to Innovative Electrical Contracting, Inc, having bid of \$69,600.00 for said work, upon written certification of funds by the Borough CFO.

BE IT FURTHER RESOLVED, that Borough Manager is hereby authorized to execute all necessary documents to effectuate the contract.

Motion made by Noone and seconded by Thompson to approve Resolution 2017-152.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.

Ayes: 6, Nays: 0

Absent: 1 (Valle)

RESOLUTION 2017-152
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
BETWEEN THE BOROUGH OF WASHINGTON AND PECHINEY PLASTICS
PACKAGING, INC. FOR THE PURPOSES OF INSTALLING A MONITORING WELL
IN CONNECTION WITH THE POHATCONG VALLEY GROUNDWATER
CONTAMINATION SUPERFUND SITE

WHEREAS, the Ramboll Environ is an authorized agent, performing environmental monitoring on behalf of Pechiney Plastics Packaging, Inc. (PPPI), which is working under the oversight of the U.S. Environmental Protection Agency (USEPA) to undertake actions to remediate groundwater in the Pohatcong Valley Groundwater Contamination Superfund (PVGCS) site; and

WHEREAS, in order to adequately monitor the remediation efforts as well as the migration of the contaminated groundwater plume, it is necessary to install monitoring wells that allow the periodic sampling of ground water; and

WHEREAS, Borough property allocated to the Washington Borough Wastewater Treatment Plant (WWTP) has been identified by Ramboll Environ/PPPI/USEPA for installation of a new groundwater monitoring well, specifically on the eastern side of the WWTP along the Washington Gardens access drive (Block 101, Lot 13.01), which will be identified as monitoring well POHMW36.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren authorizes the Borough Manager to execute an agreement attached herewith to allow Ramboll Environ to install monitoring well POHMW36.

Motion made by Noone and seconded by Thompson to approve Resolution 2017-153.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.

Ayes: 6, Nays: 0

Absent: 1 (Valle)

RESOLUTION 2017-153
RESOLUTION AUTHORIZING TILCON TO PAVE BOROUGH ROADS

WHEREAS, various roadways in the Borough of Washington are in need of repaving; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Borough of Washington is a member of the Morris County Cooperative Purchasing Council (MCCPC) which awarded Contract # 6: Road Resurfacing to Tilcon New York, Inc. and Contract #21: Oil and Stone Treatment to Morris Asphalt Company, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Washington, County of Warren that Tilcon New York, Inc. is authorized to mill and pave the following roadways listed hereto:

Hahn Street
North Wandling
Hann Terrace
McKinley Avenue (Route 57 to Prosper Way)
Vannatta Street
Christine Place
Lower Fisher Avenue
Terrace Street
Wyoming Avenue
Hillcrest Avenue (Route 57 to Municipal Boundary)
Oak Ridge Road
Cornish Street
Myrtle Avenue
West Warren Street

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Washington, County of Warren that Morris Asphalt Company, Inc. is authorized to apply oil and stone treatment to the following roadways listed hereto:

Ophelia Street
Church Street Alley
Marble Street
Mechanic Street
Independence Avenue
Roys Lane
Rush Road

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the paving and resurfacing of roadways listed herein be authorized at a cost not to exceed \$305,000.00.

APPROVAL OF BLOCK PARTY

Request for block party at West Warren Street.

Discussion

Mayor Higgins stated that there are only two names on letter, need to have confirmation all residents are notified and to prevent what happened previously. M. Hall stated he will verify that that all residents were notified.

Motion made by Jones and seconded by Klimko to approve the block party conditionally with a majority of resident's signatures for the block party.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.
Ayes: 6; Nays: 0
Absent: Valle
Motion Carried

Request for Street Opening (65 School Street) to install gas service.

Discussion

Mayor Higgins explained that the new owners are changing from oil to gas which requires the gas company to open the street that was just paved last year.

M. Hall stated the new owners are rehabbing the property to resell.

Mayor Higgins stated that before approval is granted, we need to see what restrictions are in place regarding moratorium for a street opening. Normally under a dire emergency, streets that are paved within 5 years are only allowed to be opened up.

Request for Tables on Sidewalk: Hometown Chicken (tabled until next meeting-due to no one representing Hometown Chicken).

VOUCHERS

A motion was made by Heinrich, seconded by Noone, to approve the vouchers and claims in the amount of \$797,972.23.

Discussion

Thompson questioned the bill received from the Engineer for the mid-town crossing project.

M. Hall explained the bill is for inspection costs for the project.

Klimko discussed the previous request for a more detailed bill from Engineer.

Mayor Higgins stated a meeting will be schedule with Finelli to discuss the billing.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Thompson, Noone.

Ayes: 6; Nays: 0

Abstain: Thompson (Fire and Emergency bills only)

Absent: Valle

Motion Carried

RECAP

M. Hall recapped on the following:

- speak with the Sheriff's office regarding the protect and locate seniors program.
- follow up with Matt Lopez regarding language for the zoning ordinance.
- A Streets committee meeting will be scheduled with Klimko and Kevin Smith and Shade Tree committee for paving project on Grand Avenue.
- Speak with residents on West Warren.
- Speak with owners on School Street regarding gas hook up.
- Find out what happened with Hometown Chicken not coming to meeting for their request.
- Schedule a meeting with Finelli and Mayor; re: mid-block costs.

COUNCIL REMARKS

Councilman Thompson wished everyone a safe Fourth of July.

Councilwoman Noone stated there is a car and truck show along with the farmers market this Saturday.

Discussion ensued regarding weeds within the Borough and having the DPW set a schedule maintaining.

Clapp program was again brought up for discussion and implementation.

Mayor Higgins reported on Gibson's Gym celebration over the weekend marking their 40th year anniversary in the Borough.

Mayor Higgins made a statement regarding comments and misinformation that are being made on social media regarding the revitalization project down town.

Mayor Higgins stated that there are statements being made about people are going to get sick because of asbestos at the location. Mayor Higgins stated that the asbestos was already abated from that location, in which a permit is required to do so.

Mayor Higgins stated that he does not have a Facebook page and doesn't know how to do Facebook page and asked if anyone has a comment to make to sitting members of council they can email the council which email addresses are listed on the borough's website. If anyone who listens to or reads the minutes and have any questions, to please reach out to the council and if there are concerns or questions someone on council will answer the question.

Rev. Bauknight added that they are having their annual book sale from 10-2 on Saturday.

EXECUTIVE SESSION

A motion was made by Noone, seconded by Thompson, to approve a Resolution Authorizing Executive Session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 8:35 pm.

Ayes: 6 Nays: 0

Motion Carried

RESOLUTION # 2017-81

AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public

(Provision relied upon: _____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

_____ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Investigations of violations or possible violations of the law;

 X Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: _____ The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

 X Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

A motion was made by Jones, seconded by Noone, to come out of Executive Session at 9:27 pm.

Ayes: 6; Nays: 0
Motion Carried

ADJOURNMENT

Hearing no further business, a motion was made by Heinrich, seconded by Thompson, to adjourn the meeting at 9:27 pm.

Ayes: 6; Nays: 0
Motion Carried

Mayor David Higgins

Laurie A. Barton, Borough Clerk